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January 26, 2024

BY ECF

## MEMO ENDORSED

The Honorable Edgardo Ramos  
United States District Court  
Southern District of New York  
40 Foley Square, Courtroom 619  
New York, New York 10007

Re: *Money Tree Capital Funding, LLC v. Money Tree Capital Markets, LLC, et al.*,  
Case No. 22-cv-10084-ER

Dear Judge Ramos:

This firm represents Plaintiff Money Tree Capital Funding, LLC in this action.

The parties jointly write to request that the Court extend the deadline to file their ESI protocol. Under the Court's Scheduling Order, the parties are currently required to submit an ESI protocol, "including agreed-upon search terms and custodians" by January 26, 2024. Dkt. No. 133 ¶ 20. The parties have been cooperating to prepare a protocol but believe that an extension is necessary. The parties have conferred and are still in the process of ascertaining information that will help identify the appropriate custodians for each party. Moreover, while the parties have begun the process of collecting potentially relevant documents, they have not yet completed the process, making it impossible to finalize appropriate search terms.

The parties request that the deadline to submit its agreed-upon ESI protocol with custodians and search terms be extended until February 23, 2024, with all other discovery deadlines in the case remaining as set forth in the Scheduling Order. This is the parties' first request for such an extension.

Thank you very much for your time and attention to this matter.

Respectfully,

/s/ Joshua Wurtzel  
Joshua Wurtzel

cc: All counsel of record (by ECF)

The parties' request for an extension of time to submit their ESI protocol, until February 23, 2024, is granted. SO ORDERED.



Edgardo Ramos, U.S.D.J.

Dated: 1/29/24

New York, New York